

REMARKS

Applicant has carefully reviewed the Application in light of the Office Action dated December 14, 2005. Claims 1-36 are pending and stand rejected. Claims 4, 8, 15, 24, and 30 have been cancelled. Applicant has amended claims 1, 13, 14, 22 and 27. Applicant respectfully submits that no new matter was added by these amendments. For the reasons provided below, Applicant submits that the pending claims are patentably distinguishable over the cited reference. Therefore, Applicant respectfully requests reconsideration and favorable action in this case.

Examiner Interview

In an interview with the Examiner on February 6, 2006, Applicant discussed cited art and the claimed invention in light of the 103 rejections.

Section 103 Rejections

The Examiner has rejected Claims 1-26 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,191,695 to Hiyoshi Tatsuno ("*Tatsuno*") in view of Japanese Patent No. 57,022,947 by Hiyoshi Tatsuno ("*Tatsuno II*"). Applicant respectfully traverses these rejections for the following reasons.

For example, *Tatsuno* and *Tatsuno II* fail to teach each and every limitation of the claimed invention. Indeed, amended independent claim 1 recites, "an ignition source detector operable to directly detect a spark or an ember in proximity to the fuel dispenser and, in response to detecting an unwanted ignition source, transmit a detection signal indicating the presence of the unwanted ignition source, wherein the ignition source detector is located on the fuel dispenser." In particular, claim 1 recites "an ignition source detector operable to directly detect a spark or an ember in proximity to the fuel dispenser." The combination of *Tatsuno* and *Tatsuno II* fails to teach an ignition detector in a fuel dispenser operable to detect a spark or an ember. First, *Tatsuno II* merely teaches a fire sensor for detecting an existing fire, not a spark or an ember. *Tatsuno II* wrote, "When a fire arises, the fire sensor among 10, 10', 10'' relay in the

control circuit, and the gasoline filling devices 3, 3', 3'', are disconnected from the power source." ABSTRACT, *Tatsuno II*. Second, *Tatsuno* merely teaches a fire sensor located on the canopy of a fueling station, not a sensor located in the fuel dispenser. *Tatsuno* teaches, "An electromagnetic-wave sensor 31 is provided on the canopy 6 on the lower surface thereof, for detecting electromagnetic waves generated from a portable telephone 9 employed in the site 3." Col. 3, Lines 25-27. Accordingly, the combination of *Tatsuno* and *Tatsuno II* fail to teach each and every limitation of the claimed invention.

Independent claims 13, 14, 22, and 27 recite limitations that are similar, although not identical, to the limitation of claim 1 discussed above. Therefore, these claims as well as their dependents are allowable for reasons analogous to those discussed above in connection with claim 1.

CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all Claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

A check in the amount of \$450 is enclosed for a two-month extension of time. Although no other fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to deposit account 06-1050.

Date: _____

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Respectfully submitted,

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